Remarks

Claims 1-2, 4-8, 26-27, 29-33, and 40-41 were rejected under 35 U.S.C. 102(b) as anticipated by Ross et al. (U.S. Patent 5,859,628).

Claims 3 and 28 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ross in view of Poplawsky et al. (U.S. Patent Publication No. 20020032042).

Claims 9 and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ross in view of Yoshioka et al. (U.S. Patent 6,262,655).

Claim 13 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ross in view of Kawai et al. (U.S. Patent Publication No. 20020083000).

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ross in view of Namaky (U.S. Patent Publication No. 20040227523).

Claims 1-9, 13, 14, and 26-34 are pending. Claims 1, 2, 26, and 27 are currently amended. Claims 10-12, 15-25, and 35-41 are cancelled without prejudice or disclaimer. Claims 42-49 are new.

Ross does not support a proper prima facie case of anticipation of claim 1 because Ross does not disclose that "the telematics functionality module provides telematics functionality that is specific to the vehicle and that is based on vehicle-identification information that the docking apparatus associates to the remote communication device."

Ross discloses a personal onboard information system for use in a vehicle. The system includes a portable, personal computer including a touch-responsive screen and a cradle mounted on the vehicle for detachably receiving

the computer. The computer is programmed to generate characters of preset size on a display on the screen. The cradle has a lamp for illuminating the computer screen and a power supply for supplying the computer with power when the computer is in the cradle. The system further includes an interface communicating with the computer for formatting the display for use of the computer in the vehicle when the computer is in the cradle. The interface is resident in the computer or in the cradle and causes the display to display characters relatively larger than the characters of preset size so that the characters can be easily viewed by a passenger thereby facilitating use of the computer in the vehicle.

On page 5 of the office action mailed October 26, 2009, column 9, line 57, through column 10, line 54, is cited in support of the assertion that the docking apparatus (cradle 104) communicates with the remote communications device (PDA 102) to include the telematics functionality module (moving map/status information) in a memory of the remote communications device (PDA 102).

In response to this interpretation of the term "telematic functionality module," applicant has amended claim 1 to explicitly recite that "the telematics functionality module provides telematics functionality that is specific to the vehicle and that is based on vehicle-identification information that the docking apparatus associates to the remote communication device."

Ross does not disclose that the docking apparatus associates vehicle-identification information to the remote communication device. Consequently,

Ross also does not disclose that "the telematics functionality module provides telematics functionality that is specific to the vehicle and that is based on vehicle-identification information that the docking apparatus associates to the remote communication device."

For at least the foregoing reasons, Ross, either alone or in combination with the other prior art of record, does not disclose, teach, or suggest the limitations discussed above of claim 1, which is in condition for allowance.

Claim 26 contains limitations that are analogous to the limitations of claim 1 discussed above. Claim 26 is, therefore, also in condition for allowance for at least reasons similar to those discussed above in connection with claim 1.

Support for the amendments to claims 1 and 26 is provided in the written description by at least: page 5, lines 1-6; page 7, lines15-18; page 7, lines18-21; and page 7, lines 23-33. No new matter has been added.

Claims 2-9, 13, 14, 27-34, and 42-49 properly depend upon claim 1 or claim 26 and are, therefore, also in condition for allowance.

Claim 42 explicitly recites that "the docking apparatus communicating with the remote communications device to include the telematics functionality module in a memory of the remote communications device, further includes: the docking apparatus querying the remote communications device regarding the presence of a telematics functionality module and determining that a telematics functionality module that is compatible with the vehicle is not present in the remote communications device."

Ross, either alone or in combination with the other prior art of record, does not disclose, teach, or suggest such a limitation.

For at least these additional reasons, claim 42 is in condition for allowance.

Claim 46 contains limitations that are analogous to the limitations of claim 42 discussed above. Claim 46 is, therefore, also in condition for allowance for at least reasons similar to those discussed above in connection with claim 42.

Support for new claims 42 and 46 is provided in the written description by at least page 7, lines 23-33. No new matter has been added.

Claim 43 explicitly recites that "the telematics functionality that is specific to the vehicle includes at least one of: door unlocking, remote access, and remote start."

Ross, either alone or in combination with the other prior art of record, does not disclose, teach, or suggest such a limitation.

For at least these additional reasons, claim 43 is in condition for allowance.

Claim 47 contains limitations that are analogous to the limitations of claim 43 discussed above. Claim 47 is, therefore, also in condition for allowance for at least reasons similar to those discussed above in connection with claim 43.

Support for new claims 43 and 47 is provided in the written description by at least page 9, lines 27-30. No new matter has been added.

Claim 44 explicitly recites that "the hands-free application is specific to the vehicle."

Ross, either alone or in combination with the other prior art of record, does not disclose, teach, or suggest such a limitation.

For at least these additional reasons, claim 44 is in condition for allowance.

Claim 48 contains limitations that are analogous to the limitations of claim 44 discussed above. Claim 48 is, therefore, also in condition for allowance for at least reasons similar to those discussed above in connection with claim 44.

Claim 45 explicitly recites that "the hands-free application uses a noise-cancellation application that is configured to cancel vehicle noise during hands-free operation, wherein the noise-cancellation application is specific to a noise signature of the vehicle."

Ross, either alone or in combination with the other prior art of record, does not disclose, teach, or suggest such a limitation.

For at least these additional reasons, claim 45 is in condition for allowance.

Claim 49 contains limitations that are analogous to the limitations of claim 45 discussed above. Claim 49 is, therefore, also in condition for allowance for at least reasons similar to those discussed above in connection with claim 45.

Support for new claims 44, 45, 48, and 49 is provided in the written description by at least page 10, lines 2-7. No new matter has been added.

Applicant respectfully requests reconsideration of this application and issuance of a notice of allowance.

Respectfully submitted,

Date: March 26, 2010 By: /William J. Klein/
William J. Klein
Reg. No. 43,719

Continental Automotive Systems, Inc.
Patents and Licenses
21440 West Lake Cook Road
Deer Park, IL 60010
Tel.: (847) 862-0270
Fax: (847) 862-8308